

### **Remarks/Arguments**

The Office Action of March 16, 2009, has been carefully considered.

It is noted that Claims 20 – 22 are rejected under 35 U.S.C. 102(b) over the patent to Yoshikawa.

Claims 22 – 24, 26, and 29 – 31 are rejected under 35 U.S.C. 103(a) over Yoshikawa.

Claim 25 is rejected under 35 U.S.C. 103(a) over Yoshikawa in view of the patent to Janos et al.

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshikawa in view of the patent to Lucas et al.

Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable in the Yoshikawa in view of the patent to Kohno.

Claims 32, 33, and 35 – 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshikawa in view of Janos et al., and further in view of patent to Dantlgraber.

Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshikawa in view of Janos et al. and Dantlgraber, and further in view of patent to Sunada.

In view of the Examiner's rejections of the claims, applicant has cancelled Claim 23 and amended Claims 20, 24, 26, and 29.

It is respectfully submitted that the claims now on file differ essentially and in an unobvious, highly-advantageous manner from the constructions disclosed in the references.

Turning now to the references, and particularly to the patent to Yoshikawa, it can be seen that this patent discloses a die-cushion apparatus of a press machine. Yoshikawa does not disclose a device for controlling a drawing process in a transfer press, which device has two pressure accumulators operatively arranged as in the presently-claimed invention.

In view of these considerations, it is respectfully submitted that the rejection of Claims 20 – 22 under 35 U.S.C. 102(b) over the above-discussed reference is overcome and should be withdrawn.

Additionally, it is submitted that Yoshikawa does not render the presently-claimed invention obvious. Yoshikawa does not teach or suggest two pressure accumulators as in the presently-claimed invention. Applicant submits that Yoshikawa gives no teachings concerning the pressure accumulator, since Yoshikawa do not even give the pressure accumulator a reference numeral and merely consider it to be, essentially, a relatively insignificant part. Without at least some discussion concerning the pressure accumulator, applicant submits that it would not be obvious to those skilled in the art to modify Yoshikawa to have two pressure accumulators arranged as recited in independent Claim 20 presently on file.

Furthermore, the provision of two accumulators and different pressures can be considered similar to providing separate hydraulic sources at low cost. The maintaining of different pressure levels in the two accumulators according to the presently-claimed invention utilizes much less energy in a typical press cycle than controlling the pressure with a valve, which is how the pressure is controlled in Yoshikawa. The servo valve 22 of Yoshikawa throttles the hydraulic fluid from the pump 8 or the accumulator from a supply pressure level to a lower load pressure level in nearly all work cycle time segments.

Yoshikawa does not teach or in any way suggest two pressure accumulators maintained at two separate pressure levels that are specifically adapted for the work cycle load, as in the presently-claimed invention. There is no suggestion of such a construction, and it would not be obvious from the teaching of Yoshikawa. Yoshikawa does not acknowledge or solve the problems solved by the inventive construction now recited in Claim 20.

In view of these considerations, it is respectfully submitted that the rejection of Claims 22 – 24, 26, and 29 - 31 under 35 U.S.C. 103(a) over the above-discussed reference is overcome and should be withdrawn.

The remaining references which the Examiner respectively combined with Yoshikawa in rejecting Claims 25, 27, 28, and 32 – 38 have also been considered. Applicant submits that none of these references add anything to the teachings of Yoshikawa so as to suggest the presently-claimed invention as discussed above. Thus, it is respectfully submitted that the rejections of Claims 25, 27, 28, and 32 – 38, under 35 U.S.C. 103(a) are overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

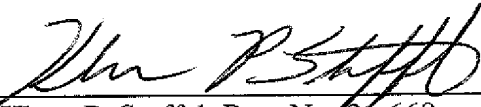
#### **Fees**

Other than the \$130 in payment of the government fee for a one-month extension of time, no fees are believed to be due. However, if any fee is determined to be due, authorization is hereby given to charge the fee to deposit account #02-2275. Pursuant to 37 C.F.R. 1.136(a)(3), please treat this and any concurrent or future reply in this application that requires a petition for an extension of time for its timely submission as incorporating a petition for extension of time for the appropriate length of time. The fee associated therewith is to be charged to Deposit Account No. 02-2275.

Respectfully submitted

LUCAS & MERCANTI, LLP

By:

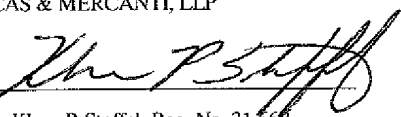
  
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I hereby certify that this document is being electronically transmitted to the Commissioner for Patents via EFS-Web on July 16, 2009.

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